

Jared McClure - PMK

Knight vs. Midland Credit Management, Inc.

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1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF PENNSYLVANIA  
3  
4 RENEISHA KNIGHT, on behalf )  
5 of herself and all other )  
6 similarly situated consumers, )  
7 )  
8 Plaintiff, )  
9 )  
10 vs. ) Case No. s:17-cv-03118  
11 )  
12 MIDLAND CREDIT MANAGEMENT, INC., )  
13 )  
14 Defendant. )  
15 )  
16  
17 DEPOSITION OF PERSON MOST KNOWLEDGEABLE  
18 JARED McCLURE  
19 SAN DIEGO, CALIFORNIA  
20 FEBRUARY 13, 2019  
21  
22 REPORTED BY:  
23 KATRINA F. BURLASON  
24 RPR, CSR NO. 5898  
25 JOB NO.: 10052252

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17 Deposition of Person Most Knowledgeable  
18 JARED McCLURE,  
19 taken by Plaintiff, at Aptus Court Reporting, 600 West  
20 Broadway, Suite 300, in San Diego, California, on  
21 Wednesday, February 13, 2019, beginning at 11:30 a.m.  
22 and concluding at 1:54 p.m., before Katrina F. Burlason,  
23 RPR, Certified Shorthand Reporter No. 5898, pursuant to  
24 Notice.  
25

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1 I N D E X ( C O N T I N U E D )  
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4 INFORMATION REQUESTED:  
5 PAGE LINE  
6 (NONE)  
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9 QUESTIONS INSTRUCTED:  
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<p style="text-align: right;">Page 29</p> <p>1 A. We only track for whether or not the person 2 called in or not.</p> <p>3 <b>Q. Okay. Let's go straight to the letter in the</b> 4 <b>case.</b></p> <p>5 MR. ZEMEL: Andrew, do you want a copy of the 6 letter?</p> <p>7 MR. SCHWARTZ: Well, we may have to go off the 8 record before you provide this, because that's not the 9 -- I've asked for the complete letter, which is the 10 reverse side. And, also, that letter is cut off. I 11 only have a template.</p> <p>12 Can we go off the record?</p> <p>13 MR. ZEMEL: We can go off the record. 14 (Discussion held off the record.)</p> <p>15 BY MR. ZEMEL:</p> <p>16 <b>Q. Back on.</b> 17 <b>Actually I want to ask you just a little bit</b> 18 <b>about letter vendors. Does Midland create and mail out</b> 19 <b>the letters themselves or do they hire third parties?</b></p> <p>20 A. What do you mean by "create and mail"?</p> <p>21 <b>Q. Do they print the letters out themselves and</b> 22 <b>mail them themselves, or do they hire third-party</b> 23 <b>companies to do that?</b></p> <p>24 A. Typically we do not print them. There are 25 some that we will print on small scale. But typically a</p>	<p style="text-align: right;">Page 30</p> <p>1 print vendor will handle the actual printing and then 2 sending of the letter.</p> <p>3 <b>Q. And which print vendors does Midland use?</b></p> <p>4 A. We use a number of them, and they've changed 5 over time.</p> <p>6 <b>Q. At any given time are you using one or many</b> 7 <b>throughout the country?</b></p> <p>8 A. It's typically one primary and a couple 9 smaller vendors that we'll use.</p> <p>10 <b>Q. Okay. I'm going to mark Exhibit B, which is</b> 11 <b>Exhibit A from the complaint filed in this action.</b> 12 (Exhibit B marked for identification by 13 the Certified Shorthand Reporter.)</p> <p>14 MR. SCHWARTZ: Again, for the record, this is 15 only a partial front page of the July 20th, 2016, 16 letter. It's missing some instructions as well as the 17 payment coupon, as well as the backer, which has 18 additional information.</p> <p>19 MR. ZEMEL: And let's go off the record for a 20 second. 21 (Discussion held off the record.)</p> <p>22 BY MR. ZEMEL:</p> <p>23 <b>Q. Let's go on the record with this and we'll</b> 24 <b>clarify what this is.</b> 25 <b>So I'm going to mark this as Exhibit C.</b></p>
<p style="text-align: right;">Page 31</p> <p>1 (Exhibit C marked for identification by 2 the Certified Shorthand Reporter.)</p> <p>3 BY MR. ZEMEL:</p> <p>4 <b>Q. Okay. So, Mr. McClure, Exhibit B is the</b> 5 <b>exhibit attached to the complaint in this action as</b> 6 <b>Exhibit A. Exhibit B, from my understanding, is a</b> 7 <b>similar form template but not quite the same.</b> 8 <b>Is that right?</b></p> <p>9 A. Exhibit C or B?</p> <p>10 <b>Q. The difference between Exhibit -- yeah,</b> 11 <b>Exhibit C.</b></p> <p>12 A. Correct. Exhibit C is a slightly different 13 form as Exhibit B.</p> <p>14 <b>Q. Can you -- I'm sorry.</b> 15 <b>Can you explain for the record what the</b> 16 <b>difference is between Exhibit C and what was provided to</b> 17 <b>the plaintiff as Exhibit B.</b></p> <p>18 A. There are several subtle changes. So you'll 19 see, beneath the MC account number, Current Balance 20 Discount, there's a shifting of information, a -- slight 21 font size differences and square sizes. Also has the 22 backer -- The scrolls are just slightly different. The 23 paragraph structure on the front is a smaller font, and 24 spacing's a little bit changed as well.</p> <p>25 <b>Q. Okay. Other than those -- Well, strike that.</b></p>	<p style="text-align: right;">Page 32</p> <p>1 <b>Also along the bottom there is a -- there's a</b> 2 <b>"the law limits," which is in Exhibit C but not in</b> 3 <b>Exhibit B; is that right?</b></p> <p>4 A. That's correct. And then there's also the, 5 "After receiving your final payment, we will consider 6 the account paid," is not on the Exhibit C.</p> <p>7 <b>Q. Okay. And the information below all of this,</b> 8 <b>which is the payment coupon, was that the same between</b> 9 <b>Exhibit C and Exhibit B?</b></p> <p>10 A. They should be approximately the same.</p> <p>11 <b>Q. Okay. So let's go looking at -- Let's start</b> 12 <b>looking only at Exhibit B. Is Exhibit B a form</b> 13 <b>template?</b></p> <p>14 A. Exhibit B is a actual letter sent to the 15 plaintiff.</p> <p>16 <b>Q. And is this a template letter that was sent or</b> 17 <b>was this letter created specifically for the plaintiff</b> 18 <b>in this matter?</b></p> <p>19 A. It would have been a form template.</p> <p>20 <b>Q. Does this template have a specific name that's</b> 21 <b>used to refer to this template?</b></p> <p>22 A. It does.</p> <p>23 <b>Q. What is that name?</b></p> <p>24 A. M003.</p> <p>25 THE REPORTER: I'm sorry?</p>